

III. REMARKS

1. Applicant appreciates the allowance of claims 1-6. Claims 7, 12 and 17 are proposed to be amended to recite what was previously considered by the Examiner to be functional language as structural features even though there is "nothing inherently wrong with defining some part of an invention in functional terms. Functional language does not, in and of itself, render a claim improper." (see M.P.E.P. §2173.05(g)) The current claim language should be equally acceptable as it sets definite boundaries on the patent protection being sought. Entry of the changes are respectfully solicited as the changes recite features previously searched by the Examiner and indicated as allowable.

2. Claim 17 is not anticipated by Matsushita under 35 U.S.C. §102(b). Matsushita fails to disclose or suggest that an end of each adjacent LED includes a removed portion. Furthermore, although the Examiner indicates that the spacing of J_{um} is known, Applicant has detailed in the specification, the problems associated with achieving such spacing. Applicant's invention overcomes those problems while Matsushita will not. Thus, claim 17 should be allowable.

3. Claims 7 and 11 are not unpatentable over Matsushita in view of Kahlen et al. Matsushita does not disclose or suggest each feature of the claimed structure of claim 7. Matsushita does not disclose the pitch recited by Applicant and cannot achieve such a close pitch due to the problems noted by Applicant with regard to close spacing of LED chips. Applicant's invention as claimed overcomes those problems.

Claims 8, 9, 10 and 11 should be allowable at least in view of their respective dependencies.

4. Claims 12, 14, 18 and 20 are not unpatentable over Matsushita under 35 U.S.C. §103(a). The structure of claim 12 is not disclosed or suggested by Matsushita for similar reasons as stated above.

Claims 13-20 should be allowable at least in view of their respective dependencies.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge any fees associated with this communication or credit any over payment to Deposit Account No. 24-0037.

Respectfully submitted,


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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted by facsimile to (703) 872-9306 on the date indicated below.

Date: July 7, 2004

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